

1 **TEKER TORRES & TEKER, P.C.**
 2 130 Aspinall Avenue-Suite 2A
 3 Hagåtña, Guam 96910
 4 Telephone: (671) 477.9891
 5 Facsimile: (671) 472.2601

6 **UNPINGCO & ASSOCIATES, LLC**
 7 Sinajana Mall-Suite 12B
 8 Sinajana, Guam 96910
 9 Telephone: (671) 475.8545
 10 Facsimile: (671) 475.8550

11 **SHORE CHAN BRAGALONE LLP**
 12 Suite 4450
 13 325 N. St. Paul Street
 14 Dallas, Texas 75201
 15 Telephone: (214) 593-9110
 16 Facsimile: (214) 593-9111

17 *Attorneys For Plaintiffs*
 18 *Nanya Technology Corp. and*
 19 *Nanya Technology Corp. U.S.A.*

FILED
 DISTRICT COURT OF GUAM
 JAN 30 2007 mba

MARY L.M. MORAN
 CLERK OF COURT

IN THE DISTRICT COURT OF GUAM

15 NANYA TECHNOLOGY CORP. AND
 16 NANYA TECHNOLOGY CORP. U.S.A.,

Case No. CV-06-00025

17 Plaintiffs,
 18 v.
 19 FUJITSU LIMITED AND FUJITSU
 20 MICROELECTRONICS AMERICA, INC.,

**DECLARATION OF JOSEPH C.
 RAZZANO IN SUPPORT OF
 PLAINTIFF'S MOTION TO EXCEED
 NUMBER OF INTERROGATORIES AND
 REQUESTS FOR ADMISSIONS**

Defendants.

I, JOSEPH C. RAZZANO, hereby declare as follows:

1. My name is Joseph C. Razzano. I am over the age of 21 and am competent to make this Declaration.

2. All of the statements set forth herein are true and correct and are based on my personal knowledge.

3. I am an attorney of record for Plaintiffs, Nanya Technology Corporation and Nanya Technology Corp. U.S.A. ("Nanya" collectively herein) in the above-captioned and titled cause.

4. Attached as Exhibit "A" are: (1) a true and correct copy of photographs of the One-Touch Ultra, the blood glucose monitoring system purchased by the Plaintiffs; (2) a true and correct copy of the receipt evidencing the purchase of the One Touch Ultra product on Guam on or about January 4, 2007; and (3) a true and correct copy of a Fujitsu advertisement touting the advantages of their "microcontrollers."

5. Attached as Exhibit "B" is a true and correct copy of a Fujitsu press release regarding MOST car-infotainment product. In addition, attached hereto is a true and correct copy of **BMW** automobile materials provided by **BMW** and describing the MOST system used in **BMW** automobiles.

6. Attached as Exhibit "C" is a true and correct copy of a Fujitsu Microelectronics America, Inc. press release.

7. Attached as Exhibit "D" is a true and correct copy of a Fujitsu advertisement describing advantages of their microcontrollers for automotive applications.

8. Attached as Exhibit "E" is a true and correct copy of invoices and packaging materials evidencing that Defendants expressly ship their products to Guam. The invoices from Magnitude Electronics, LLC, located in Burlingame, California, were ordered and shipped directly to counsel in Guam.

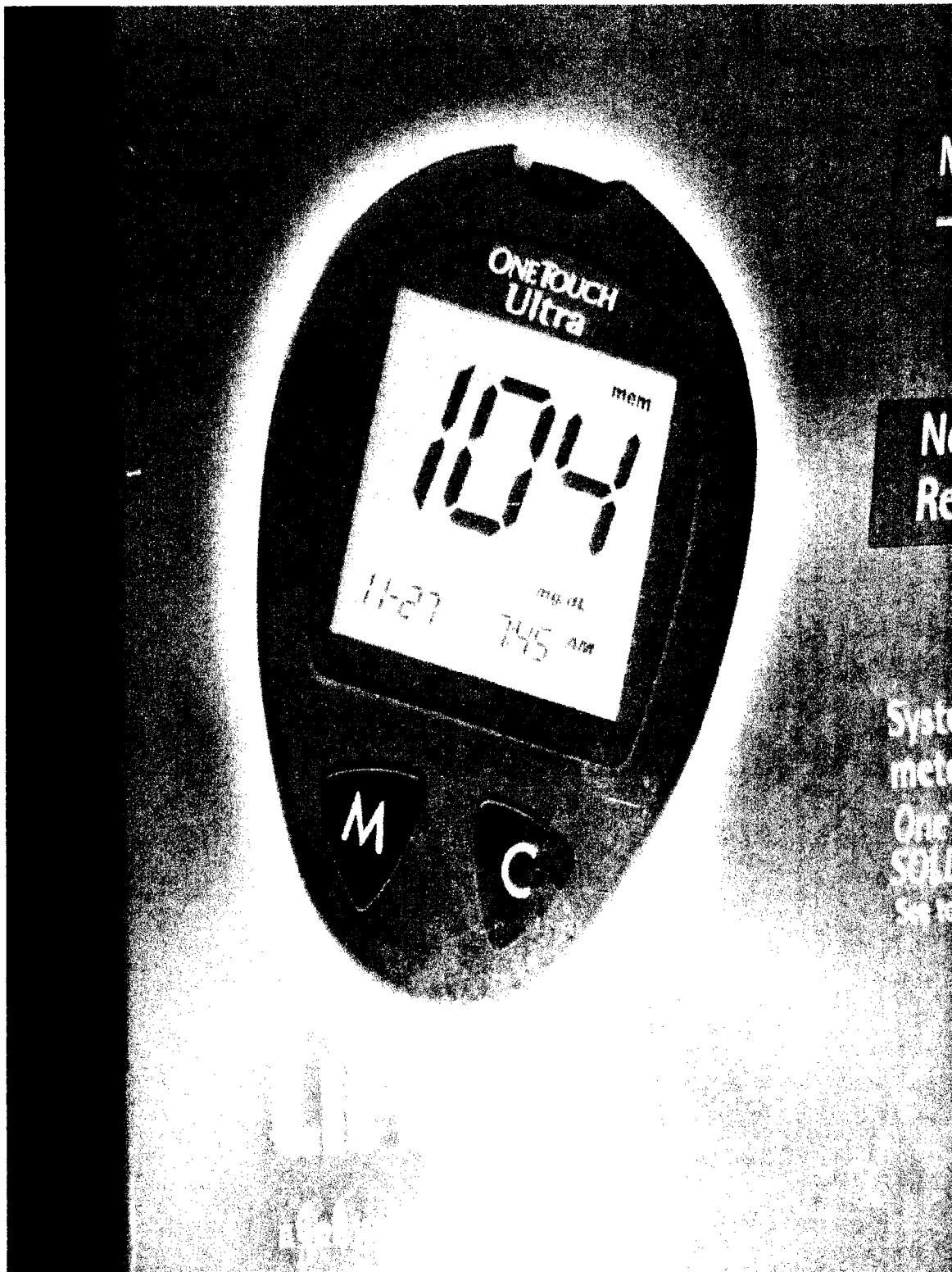
9. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on January 30, 2007.


JOSEPH C. RAZZANO

EXHIBIT A

206



ONE TOUCH[®]

Ultra

The Comfort Of Caring

Blood Glucose Monitoring System

EASY DRAW DESIGN

Less Blood

- Test on fingers, arms, legs, feet, and toes
- UltraSafe™ 100 test strip cartridge
- Pain-free blood sampling
- UltraSafe™ test strips are designed to reduce pain and bleeding.

Advanced Data Management

- Large, easy-to-read display
- 150-test memory with date stamping
- Automatic 14 and 10-day averaging
- Can be downloaded into OneTouch® Diabetes Management Software for data graphing and trending.

YES! OneTouch® Test Strips are covered by most insurance plans and Medicare Part B.

Conditions and restrictions apply. Please go to www.onetouch.com for details.

3-Year Warranty

30-Day Money-Back Guarantee

© 2000 OneTouch Diabetes Systems, Inc. All rights reserved. 2000 Reversion

205

The image consists of two main parts. On the left is a receipt from PAY-LESS SUPERMARKET INC. The receipt shows a total of \$75.00, with breakdowns for PHARMACY (\$75.00), YOUR BALANCE DUE IS (\$75.00), CASH SALES (\$75.00), and CHANGE (\$0.00). It also indicates YOUR APPROXIMATE GRT IS \$ 1.00. The receipt is dated 5/04/07 13:57 and includes the store number 10-0046-1115. A message at the bottom says "THANK YOU FOR SHOPPING AT PAY-LESS" and "PLEASE COME AGAIN". Below the receipt is a LifeScan blood glucose monitoring system. It features a digital meter with a display screen showing "104" and a test strip slot. To the right of the meter is a box labeled "LIFESCAN" and "Schlumberger technology". Above the meter, the text reads "Blood Glucose Monitoring System". Below the meter, it says "No Waiting—Accurate Results In Just 5 Seconds". Further down, it states "System includes meter and accessories" and "One Touch Ultra Test Strips (sold separately)". A large "SAVE!" and "UP TO \$60" are prominently displayed on the right side.

PAY-LESS SUPERMARKET INC.
DEPT 30 - 632-9391/29419

PHARMACY - SCRIPTS NF 75.00
YOUR BALANCE DUE IS 75.00
CASH SALES 75.00
CHANGE 00
YOUR APPROXIMATE GRT IS \$ 1.00

5/04/07 13:57 0001 10-0046-1115

THANK YOU FOR SHOPPING AT PAY-LESS
** PLEASE COME AGAIN **

LIFESCAN
Schlumberger technology

Blood Glucose Monitoring System

No Waiting—Accurate Results In Just 5 Seconds

System includes meter and accessories

One Touch Ultra Test Strips (sold separately)

See top panel for details

SAVE!
UP TO \$60

ONE TOUCH[®]

Ultra[™]

Blood
Glucose
Monitoring
System

YES! OneTouch[®]
Test Strips
are covered by most
insurance plans and
Medicare Part B

Conditions and restrictions apply.
Check your plan for details.

The Comfort Of C

FASTDRAW[™] DESIGN

Small

- Easier to hold
- Easier to clean

Less Blood

- Test on a single drop of blood
- UltraSorb[™] technology reduces painful pinpricks
- UltraSorb[™] technology reduces the amount of blood needed

PAY-LESS SUPERMARKETS INC.

DEDEDOD - 632-9391/9419

PHARMACY - SCRIPTS NP	75.00
YOUR BALANCE DUE IS	75.00
CASH SALES	75.00
CHANGE	.00

YOUR APPROXIMATE GRT IS \$ 2.88

1/04/07 13:57 0001 10 0046 1115

THANK YOU FOR SHOPPING AT PAY-LESS
** PLEASE COME AGAIN **

ng
y Test Strip

conds

le Size
parison

* Other
Brand
4µL

Advanced Data Management



- Large, easy-to-read display
- 150-test memory with date and time
- Automatic 14 and 30-day averaging
- Can be downloaded into OneTouch[™] Diabetes Management Software for data graphing and trending †

*3-Year Warranty,
30-Day Money-Back Guarantee.*

* Read the owner's booklet and talk to your doctor before arm testing.
† OneTouch[™] Software or data cable not included.

Keep In Touch

We're always there, whenever you need us.

To make sure you're absolutely comfortable using OneTouch[®] products, we offer you 2 fast and easy ways to ask questions and get information.

1 24-Hour, Toll-Free Assistance
USA (English): 1 800 227-8862 or USA (Español): 1 800 381-7226

2 www.LifeScan.com
Or visit our award winning Web site for product information, answers to experts to frequently asked questions, diabetes management information, recipes, and personal e-mail support.

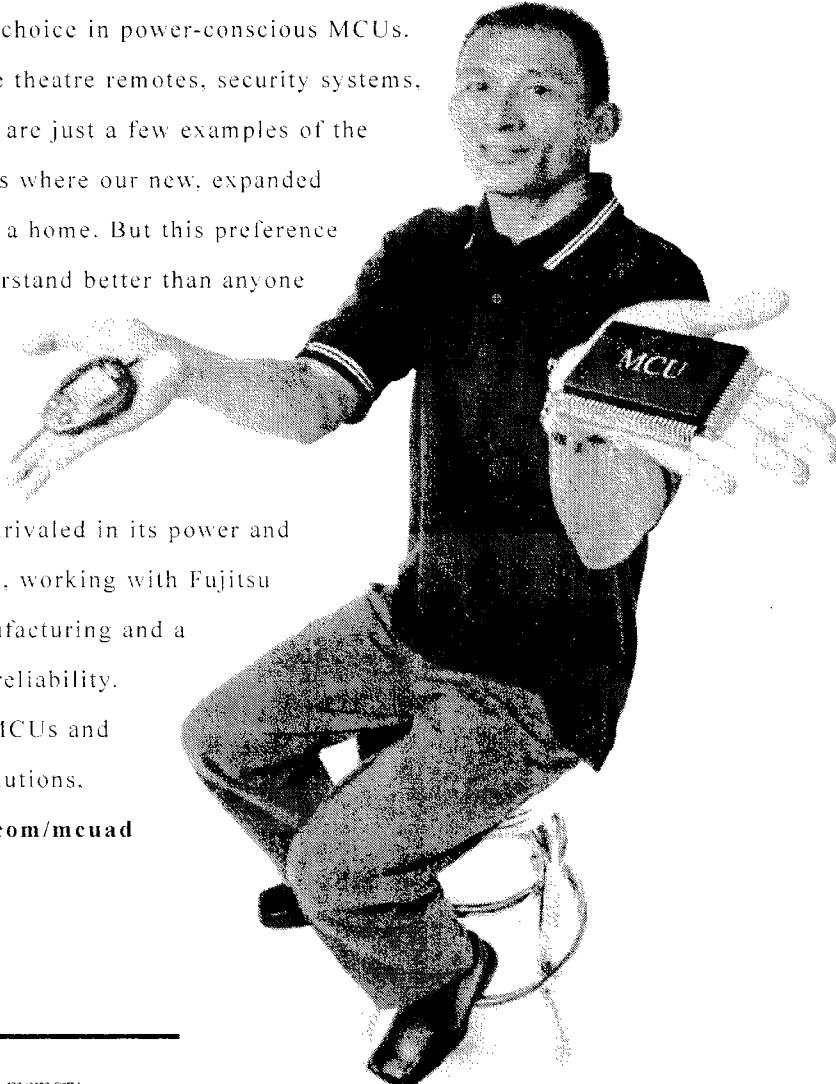
LIFESCAN

jchmen.jchmen.com/en

The real power behind Fujitsu's 8-bit MCUs is the fact they hardly use any.

Thanks to our low-voltage, low-leakage yet high-speed designs, Fujitsu is the preferred choice in power-conscious MCUs. Glucose monitors, home theatre remotes, security systems, and thermostat controls are just a few examples of the hundreds of applications where our new, expanded 8-bit MCUs have found a home. But this preference is no accident. We understand better than anyone the price, performance and space challenges faced by engineers, and the end result is a design architecture unrivaled in its power and flexibility. What's more, working with Fujitsu offers world-class manufacturing and a proven track record of reliability.

For more on Fujitsu's MCUs and our industry-leading solutions, visit www.fma.fujitsu.com/mcuad or call (800) 866-8608.



MICROCONTROLLERS

- 8-bit, 16-bit, 32-bit MCUs
- Up to 768 KB embedded Flash memory
- Up to 5 channel UART
- Low-power modes
- DC/AC motor, inverter control modules
- Dedicated DSC application specific controllers
- LPC bus, PS2 interface, keyboard controller with multi Li-ion battery management
- A/D, D/A, LCD controllers/drivers and timers
- Full-featured ICE and integrated development environment available

*Bringing solutions to your business is Vu Lac,
Technical Sales Manager for Fujitsu Microelectronics.*

FUJITSU

THE POSSIBILITIES ARE INFINITE

www.fma.fujitsu.com